

**AN ORDINANCE  
BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 98, ARTICLE II, DIVISION 1, SECTION 98-51 OF THE CITY OF ATLANTA CODE OF ORDINANCES, ENTITLED 'AUTHORIZATION FOR THE CHIEF OF POLICE TO ADMINISTER OATH OF OFFICE FOR SWORN POLICE OFFICERS' TO DELETE THE PHRASE 'SPECIAL POLICE OFFICER(S)'; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 98-1 of the City of Atlanta ("City") Code of Ordinances ("Code") outlines the application process for special police officers, their authority, and a list of persons who are eligible to become such officers; and

**WHEREAS**, the City's Department of Police ("Department") desires to amend Section 98-1 of the Code to change the name of special police officers to 'code enforcement agents', and to more accurately define the function; and

**WHEREAS**, Section 98-51 states the oath of office which is administered to sworn police officers and special police officers of the City; and

**WHEREAS**, the Department intends to create a separate oath of office for code enforcement agents to be included in Section 98-1 of the Code, and desires that the term 'special police officer' be deleted from Section 98-51 of the Code.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:**

**SECTION 1:** That Chapter 98, Article II, Division I, Section 98-51 of the City of Atlanta Code of Ordinances, which reads:

The police chief or the chief's designee is authorized, in accordance with Georgia law, to administer the oath of office to all sworn police officers and special police officers employed by the City of Atlanta. When taken, the officer shall sign the official oath and copies thereof shall be filed with the Fulton county Probate court and in the personnel records of the officer so sworn. That oath shall take the following form:

I, \_\_\_\_\_, do solemnly swear (or affirm) that I am duly qualified, according to the Constitution and laws of Georgia, to perform the duties imposed upon me as a Police Officer (or Special Police Officer) of the City of Atlanta, Georgia, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of the United States of America and the Constitution of the State of Georgia.

I swear that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I am prohibited from holding by the laws of the State of Georgia, nor am I the holder of any unaccounted for public money due this state or any political subdivision or authority thereof.

I further swear that I will enforce the criminal laws of the State of Georgia and the ordinances of the City of Atlanta, abide by the rules and standard operating procedures governing the Atlanta Police Department, adhere to the Law Enforcement Code of Ethics published by the International Association of Chiefs of Police, and uphold the Ethics Code of the City of Atlanta. In doing so, I will be mindful of the trust that has been placed in me to improve the quality of life and make every effort to live up to that trust. I will not persecute the innocent, nor help to shield the guilty, nor will I be influenced in the discharge of my duties by fear, favor, or affection, reward, or the hope thereof. So help me God.

be hereby amended to read as follows:

The police chief or the chief's designee is authorized, in accordance with Georgia law, to administer the oath of office to all sworn police officers employed by the City of Atlanta. When taken, the officer shall sign the official oath and copies thereof shall be filed with the Fulton county Probate court and in the personnel records of the officer so sworn. That oath shall take the following form:

I, \_\_\_\_\_, do solemnly swear (or affirm) that I am duly qualified, according to the Constitution and laws of Georgia, to perform the duties imposed upon me as a Police Officer of the City of Atlanta, Georgia, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of the United States of America and the Constitution of the State of Georgia.

I swear that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I am prohibited from holding by the laws of the State of Georgia, nor am I the holder of any unaccounted for public money due this state or any political subdivision or authority thereof.

I further swear that I will enforce the criminal laws of the State of Georgia and the ordinances of the City of Atlanta, abide by the rules and standard operating procedures governing the Atlanta Police Department, adhere to the Law Enforcement Code of Ethics published by the International Association of Chiefs of Police, and uphold the Ethics Code of the City of Atlanta. In doing so, I will be mindful of the trust that has been placed in me to improve the quality of life and make every effort to live up to that trust. I will not persecute the innocent, nor help to shield the guilty, nor will I be influenced in the discharge of my duties by fear, favor, or affection, reward, or the hope thereof.

So help me God.


**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Simone D. Brathwaite



Contact Number: x 6310

Originating Department: Department of Police

Committee(s) of Purview: Public Safety and Legal Administration

Council Deadline: August 28, 2006

Committee Meeting Date(s): September 12-13, 2006 Full Council Date:  
September 18, 2006

Commissioner Signature



**CAPTION**

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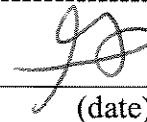
FINANCIAL IMPACT:

Mayor's Staff Only

Received by Mayor's Office:

8.29.06  
(date)

Reviewed by:

  
(date)

Submitted to Council:

9/1/06  
(date)